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October 5, 2022

VIA ECF

The Honorable Jose R. Almonte
United States Magistrate Judge
U.S. District Court for the District of New Jersey
50 Walnut Street, Room 4015
Newark, NJ 07101

RE: Extension of time for Kitchinventions L. Pat. R. 3.4A contentions

Style: *Best Brands Consumer Products Inc. v. Kitchinventions, LLC*
Case No.: 21-cv-20023
Court: U.S. District Court for the District of New Jersey

Dear Judge Almonte,

This firm represents the patentee, Kitchinventions LLC in the above matter. I write this letter on behalf of it pursuant to Local Rule 6.1 for an extension of time to provide its Local Patent Rule 3.4A response to the invalidity contentions and to modify the scheduling order accordingly. I am lead counsel for Kitchinventions, admitted pro hac vice, while Ms. Linda Alle-Murphy is local counsel.

On Monday, September 26, 2022, Best Brands Consumer Products Inc., Best Brands Sales Company, LLC (“Best Brands”), provided me with their Local Patent Rule 3.2A non-infringement contentions together with their Rule 3.3 invalidity contentions. Combined, those contentions constitute an unusually large 189 pages of written material (52 pages and 137 pages, respectively, each of which incorporates the other by reference) together with 687 pages of documents produced therewith pursuant to Rule 3.4.

Pursuant to the Court’s prior order adopting the parties’ proposed modifications to the scheduling order, [ECF 70], the deadline for Kitchinventions’ Rule 3.4A responses to Best Brands’ contentions is today, October 5, 2022. Normally the local rules provide the patentee with 14 days to respond to such contentions. When the deadline was being extended for Best Brands’ non-infringement and invalidity contentions Kitchinventions, I reasonably believed I would be able to respond to Best Brands’

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contentions within a shorter timeframe of nine days. That became a difficult task upon being served with Best Brands' 189 pages, and was further compounded by Hurricane Ian.

My law firm and primary residence are located in Tampa, Florida. Both were impacted by Hurricane Ian last week during the time that was allocated to review and respond to the contentions. More specifically, due to pre-impact preparation, actual landfall nearby, and subsequent related local disruptions, I was unable to devote sufficient time to that (unexpectedly large) task of reviewing and analyzing Best Brands' 189 pages of written material and 687 pages of documents. I lost four full working days of the seven business days that were allocated to complete Kitchinventions' 3.4A response.

Kitchinventions therefore submits that good cause exists to further extend the deadline for its Rule 3.4A responses and respectfully requests the Court extend the time for its 3.4A contentions an additional seven days to and including October 12, 2022.

Given that October 5, 2022, is Yom Kippur, I was unable to confer with counsel for Best Brands, and therefore Kitchinventions is unclear whether Best Brands would oppose this request. Nevertheless, Kitchinventions respectfully requests the Court extend the time for its 3.4A contentions and further amend the scheduling order to reflect same.

Respectfully,



Griffin C. Klema, Esq.
for the firm

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SO ORDERED:



Hon. José R. Almonte
United States Magistrate Judge
October 6, 2022